

approximately \$60,000. As well as ongoing permitting and enforcement costs, vehicles and wildlife cages will create one time start-up equipment costs. The bill creates the Dangerous Wild and Exotic Animals Fund to pay for these operations.

- **Court cost revenues.** Penalty provisions in the bill could mean that the state may gain locally collected court cost revenues that are deposited to the credit of the General Revenue Fund (GRF) and the Victims of Crime/Reparations Fund (Fund 402). It seems likely that the additional state court cost revenues would not exceed minimal.
- **Possible incarceration costs.** It is also possible but unlikely that many people would be incarcerated as a result of a felony of the fourth degree conviction regarding the serious physical harm caused to another person by a dangerous wild or exotic animal. This could result in a potential minimal increase in expenditures for the GRF-funded Department of Rehabilitation and Corrections.

Local Fiscal Highlights

LOCAL GOVERNMENT	FY 2007	FY 2008	FUTURE YEARS
Counties			
Revenues	Potential gain from court fees and criminal fines	Potential gain from court fees and criminal fines	Potential gain from court fees and criminal fines
Expenditures	Potential increase for courts from additional cases	Potential increase for courts from additional cases	Potential increase for courts from additional cases

Note: For most local governments, the fiscal year is the calendar year. The school district fiscal year is July 1 through June 30.

- **Civil penalties.** The bill prohibits possessing one or more dangerous wild or exotic animal defined in the bill without the proper permit. Additionally, the bill prohibits improper tethering, handling, transportation, mistreatment, or euthanization without notification, or failing to carry a liability insurance policy of at least \$250,000. Violations of these prohibitions can result in civil penalties. The court may impose a civil penalty of not less than \$200 and not more than \$2,000 per day per animal for violations. The penalty carries with it a charge of a nuisance, as well, and this could potentially result in additional civil fines.
- **Criminal penalties.** Violations can result in a charge of misdemeanor of the first degree, and if the violation causes serious physical harm to a person, the violator can be found guilty of a felony of the fourth degree. The county courts that would hear these cases could experience a potential gain from court fees and/or criminal fines, as well as a potential increase in workload from the additional cases. These cases could be expected to create a negligible increase in revenues and expenditures.

Detailed Fiscal Analysis

Division of Wildlife

The bill defines "dangerous wild animal" and "exotic animal" and prohibits, with certain exceptions, a person from possessing such an animal without a personal possession permit issued by the Chief of the Division of Wildlife in the Department of Natural Resources. As well as administering and maintaining the permit process, the Chief of the Division of Wildlife is required to:

- Confiscate a dangerous wild or exotic animal if the person who possesses it does not have a valid permit and establish an amount of money that is required to be deposited upon confiscation;
- Establish content and size of signs that are required to be posted;
- Establish requirements regarding perimeter fencing and distance of enclosures from property lines;
- Inspect at least annually each premises concerning which a personal possession permit has been issued;
- Investigate and approve any transfers of dangerous wild or exotic animals;
- Establish the procedures for permit holders to keep a log of all dangerous wild and exotic animals in their possession; and
- Deny, revoke, or suspend permits for violations or failure to meet requirements.

Dangerous wild and exotic animals permitting

The bill creates the Dangerous Wild and Exotic Animals Fund and requires the Chief of the Division of Wildlife to establish a permit fee not to exceed \$100 per dangerous wild or exotic animal and not to exceed \$1,000 for each person applying for a permit. Along with the required annual inspection, the animal owners are also required to renew the permit annually, with a renewal fee to be established by the Chief of the Division of Wildlife. Permit revenues and civil penalty moneys would be deposited in the new fund.

Currently, there are 88 wildlife officers, one per county, earning an average salary plus benefits of \$60,000 per year. According to the Department of Natural Resources, the permitting and inspection process would require up to ten additional wildlife enforcement officers. Assuming new wildlife officers, new payroll would be about \$600,000, not counting new administrative personnel. Additionally, there will be one time start-up costs for equipment such as new vehicles and animal cages. The cost of each vehicle is estimated to be \$50,000 (specialty vehicles), but the cost of animal care facilities necessary is uncertain. We will assume approximately ten additional vehicles and \$100,000 per year in animal care for a total of \$600,000 in new costs.

The Division of Wildlife anticipates requiring the maximum allowable permit fee of \$100 per animal and up to \$1,000 per permit for multiple animals. The Division also expects an estimated 6,000 to 10,000 permits per year, which could potentially generate \$1,140,000 to \$1,900,000 in fee revenue. This range was determined by assuming a single animal ownership to be the more common situation and multiple animal owners permits to be more rare. Let us assume that 90% of permits are for single animal owners (\$540,000 to \$900,000) and 10% are for multiple animal owners (\$600,000 to \$1,000,000).

Assuming approximately \$600,000 in personnel costs and another \$700,000 in equipment and maintenance costs, first year start-up costs and payroll would be \$1.3 million. Therefore, it is possible that, with the lower end of the range, the fee revenue will fall just short of covering program costs in the first year. Assuming \$600,000 in payroll, \$100,000 in vehicle maintenance, and \$100,000 in animal care, in subsequent years the ongoing program costs of approximately \$800,000 will likely be fully covered by the permit fees.

Prohibitions

The bill prohibits possessing one or more dangerous wild or exotic animal defined in the bill, without the proper permit. Additionally, the bill prohibits improper tethering, handling, transportation, mistreatment, or euthanization without notification of said dangerous wild or exotic animals, or failing to carry a liability insurance policy of at least \$250,000. Violations of these prohibitions can result in civil penalties in a court of competent jurisdiction. The court may impose a civil penalty of not less than \$200 and not more than \$2,000 per day per animal concerning which there is a violation. The penalty carries with it a charge of a nuisance, as well, and this could potentially result in additional civil fines.

The bill also lists criminal charges resulting from violating the prohibitions of the bill, including a misdemeanor of the first degree for violations, or a felony of the fourth degree for serious physical harm to another person.

As a result of the misdemeanor charge, successful prosecutions and convictions could mean that the state may gain locally collected court cost revenues that are deposited to the credit of the General Revenue Fund (GRF) and the Victims of Crime/Reparations Fund (Fund 402). However, it seems likely that these amounts would be minimal.

It is also possible but quite unlikely that some individuals may be incarcerated in state prisons as a result of a felony of the fourth degree conviction regarding the serious physical harm caused to another person by a dangerous wild or exotic animal. This could result in a potential minimal increase in expenditures for the GRF-funded Department of Rehabilitation and Corrections.

Local effects

Violations of the bill's prohibitions can result in civil penalties. The court may impose a civil penalty of not less than \$200 and not more than \$2,000 per day per animal involved. The penalty carries with it a charge of a nuisance, as well, and this could potentially result in additional civil fines.

As well as a charge of misdemeanor of the first degree, a more serious violation that results in serious physical harm to a person can lead to a charge of a felony of the fourth degree. The county courts that would hear these cases could experience a potential gain from court fees and/or criminal fines, as well as a potential increase in workload from the additional cases. These cases will most likely create a negligible increase in revenues and expenditures.

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